APPENDIX A

CINCINNATI CONVENTION CENTER
EXPANSION AND RENOVATION
Date Issued: December 23, 2003

AVAILABILITY ESTIMATION SHEET

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APPENDIX B

City of Cincinnati

SUBCONTRACTING OUTREACH PROGRAM SUMMARY

CONVENTION CENTER PROJECT

All bidders must complete the forms in this section (with exception of Forms 2005, 2006 and 2008) in order for a bid to be considered responsive. Pay particular attention to the requirements of the Statement of Good Faith Outreach Efforts. Failure to submit any of the information indicated on these forms may cause a bid to be rejected as non-responsive.

It is in the City's best interest to ensure opportunities for all qualified and available SBEs. An SBE is defined by its net worth and number of employees or revenue size and can be a minority, women-owned or majority-owned business. You will also find on the cover of this bid document an Availability Determination. These figures are percentages based on a review of the City's vendors' list and certified minority and women-owned businesses. Businesses are identified based on the areas of work included in the specifications for this project. Bidders should be able to include minority and female firms at the level of availability indicated.

Bidders are required to show that they've made a good faith effort to get the participation of SBEs on this project. The goal for each Trade Contract is as defined in the contract

documents and may be different from the Availability Determination percentages. This goal is mandatory.

SBE GOALS PER TRADE CONTRACT CINCINNATI CONVENTION CENTER PROJECT, BID PACKAGE C

All bidders are required to meet the goal stated for the individual trade contract as specified in each bid document. Work being self performed by a Certified SBE bidding as a prime contractor may be counted toward meeting the SBE subcontracting utilization goal. The SBE bidder must clearly indicate on Form 2003 the percentage of work that represents their SBE participation percentage as a Prime related to the completion of the scope of work.

Failure to meet this goal may cause a bid to be rejected as non-responsive.

GOALS FOR BID PACKAGE C

TC-01B General Trades	**50%**
TC-01C Interior Remediation	**50%**
TC-02E Temporary Conditions	**50%**
TC-02F Selective Demolition	**35%**
TC-04A Masonry	**35%**
TC-06A Millwork	**20%**
TC-08A Doors, Frames & Hardware	**30%**
TC-08B Overhead Doors	**10%**
TC-09A Drywall	**35%**
TC-09C Soft Floors	**30%**
TC-10A Specialties	**50%**
TC-11A Food Service Equipment	**5%**
TC-14A Elevators & Escalators	**10%**
TC-15B HVAC	**35%**

TC-15C Plumbing	**35%**
TC-15D Fire Protection	**10%**
TC-16A Electrical	**35%**
TC-16B Low Voltage Electrical	**30%**

FORMS THAT MUST BE COMPLETED AND INCLUDED IN THE BID AT THE TIME OF SUBMITTAL

Form 2000 - Offeror's Covenant of Non-Discrimination Policy must be signed and dated.

Form 2001 - Solicitation Certification Form must be used to list all firms solicited for subcontract work

Form 2002 - Joint Venture Agreement Affidavit only if applicable and ***must be approved prior to bid submittal.***

Form 2003 - Subcontractor Utilization Plan lists ***all firms, SBE and Non-SBE*** that you plan to actually utilize on the project. For a list of certified Small Business Enterprises please view the website www.cincinnati-oh.gov or contact the Office of Contract Compliance at (513) 352-3144.

Form 2007 - Statement of Good Faith Efforts must be signed and included in the bid package.

FORMS THAT HAVE ALTERNATE SUBMITTAL TIMES

Form 2004 - Subcontractor Approval Request must be completed and submitted to the Contract Compliance Office within 48 hours of request. A form for all Subcontractors (SBE and non-SBE) must be submitted.

Form 2005 - Subcontractor Monthly Business Utilization Report must be submitted with the claim voucher before monthly payment will be made.

Form 2006 - Subcontractor Substitution all contractors must receive approval from the Office of Contract Compliance for any proposed change in subcontractors from those indicated on the contract prior to the start of work.

Form 2008 - Final Subcontracting Report must be submitted within 15 days after the final inspection of the contract work

If you have any questions or need assistance in meeting these requirements, please feel free to contact the Office of Contract Compliance at (513) 352-3144.

Last Revised 12/22/03

APPENDIX C

CITY OF CINCINNATI

SMALL BUSINESS DIVISION
OFFICE OF CONTRACT COMPLIANCE

Small Business Enterprise Program

RULES AND GUIDELINES

* * *

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necessary to carry out the City's commitment to effect maximum SBE participation in its procurement practices. The City of Cincinnati is committed to a policy of non-discrimination pursuant to Section 1 of the Fourteenth Amendment to the United States Constitution, which guarantees equal protection of the laws to all citizens. It is further the policy of the City of Cincinnati that its purchasing and contracting practices not implicate the City as a passive participant in discriminatory practices engaged in by private contractors or vendors who seek to obtain business with the City. In furtherance of these policy objectives, the City seeks to afford to its citizens equal opportumties to do business on City contracts and to ensure that all bidders, vendors and contractors (collectively referred to herein as "bidders") doing business with the City provide to businesses owned and controlled by racial minorities and ethnic minorities and women, opportunities to participate, to the extent of their availability, on contracts which are paid, in whole or in part, with monetary appropriations from the City of Cincinnati. It should be noted that the success of the SBEP is contingent upon the clarity of the policy, the clarity of the procedures used to implement and administer these policies, rules and guidelines, and the commitment of each City department.

In conclusion, this manual is designed to provide accurate and authoritative information regarding the subject matter. It is written with the understanding that the drafters are not engaged in rendering legal, accounting, or other professional

services. If legal advice or other expert assistance is required, the services of the Solicitor's Office, Finance Department and other professionals in the City family and outside the City family, should be sought.

* * *

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Non-Discrimination Program (CMC 321-159)

Non-Discrimination Policy

The City of Cincinnati is committed to a policy of non-discrimination pursuant to Section 1 of the Fourteenth Amendment to the United States Constitution, which guarantees equal protection of the laws to all citizens. It is further the policy of the City of Cincinnati that its purchasing and contracting practices not implicate the City as a passive participant in discriminatory practices engaged in by private contractors or vendors who seek to obtain business with the City. In furtherance of these policy objectives, the City seeks to afford to its citizens equal opportunities to do business on City contracts and to ensure that all bidders, proposers, vendors and contractors (collectively referred to herein as "bidders") doing business with the City provide to businesses owned and controlled by racial minorities and ethnic minorities and women, opportunities to participate, to the extent of their availability, on contracts which are paid, in whole or in part, with monetary appropriations from the City of Cincinnati.

In order to be considered as responsive, all bidders/proposers are required to use good faith efforts to promote opportunities for Minority and Women Business Enterprises to participate in and compete for, to the extent of their availability,

contracting, subcontracting, and purchasing opportunities. Prior to the award of any contract related to construction services or professional services, the City shall evaluate each bidder's documented efforts to achieve the participation of minority and women business enterprise firms. The extent of each bidder's commitment to non-discrimination will be evaluated on the basis of the bidder's demonstration of compliance with the following: 1) submittal of a non-discrimination plan that demonstrates the bidder's intent to utilize a diverse business base when awarding subcontracts, purchasing, and pursuing teaming opportunities; 2) agreement to execute a covenant of non-discrimination as a condition of contract award; 3) agreement to submit to ongoing monitoring by, and submittal of reports to, the City's Office of Contract Compliance after contract award, as continuing evidence of the contractor's commitment to non-discrimination; and 4) submitting to investigations or audits by the City's Office of Contract Compliance in connection with routine monitoring or as a result of specific allegations of discrimination.

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The City of Cincinnati prohibits discrimination against any person or business in pursuit of these opportunities on the basis of race, color, sex, religion, disability or national origin. The City will conduct its contracting and purchasing programs so as to discourage any discrimination and will vigorously seek to resolve all claims of discrimination.

General

The City of Cincinnati has established initiatives to ensure that firms seeking to participate in contracting and procurement activities are not prevented from doing so on the

basis of the race or gender of their owners. To implement these initiatives and ensure that businesses owned by minorities and women are not discriminated against with regard to subcontracting or other partnering opportunities the City of Cincinnati has developed a Non-Discrimination Program. Upon its successful implementation, the Non-Discrimination Program will result in utilization of minority and women owned firms to the extent of their availability, capacity and willingness to compete for work with the City of Cincinnati.

Program Requirements

All bidders, proposers, vendors, and contractors (collectively referred to herein as "bidders") are required to make efforts to ensure that minority and women owned businesses are not discriminated against on the basis of race, ethnicity or gender, and to demonstrate compliance with these Program Requirements at, or prior to, the time of bid opening.

The City of Cincinnati, or its designated agent, will evaluate efforts made by bidders to promote opportunities for minority and women owned firms (MBE/WBE) to compete for business as subcontractors and/or material or equipment suppliers at the time of bidding. A bidder is eligible for award of a City contract upon a finding by the City that the bidder has engaged in a good faith effort to ensure that its process of soliciting, evaluating and awarding subcontracts, placing orders, or partnering with other companies has been non-discriminatory. If the evaluation determines that a bidder has failed to achieve levels of minority and women business enterprise participation as might be reasonable on the basis of objective data regarding availability and capacity of such businesses, the bidder shall be subject to an inquiry by the Office of Contract Compliance.

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Diversity Database

The SBDOCC will maintain a database to assist bidders in identifying minority and women business enterprises with capabilities commensurate with general contracting requirements. A list from the database is available to contractors to assist them in their efforts to meet the Program's requirements. The list prepared from the database specifies which firms the City has determined meet the requirements necessary for designation as minority and women business enterprises. This list is not exhaustive and is frequently updated; therefore, if a bidder desires to utilize a firm not listed in the database, the bidder should confer with the Office of Contract Compliance to ascertain the eligibility of the minority or women business enterprises under consideration.

MBE/WBE Utilization Records and Reports

Contractors are required to maintain documentation regarding the utilization of minority and women business enterprises, and all other pertinent records, during the performance of award of their contract. Contractors shall submit with their monthly pay request Form 2005 "Subcontractor Monthly Business Utilization Report"

Compliance, Monitoring and Audit

The City of Cincinnati reserves the right to conduct a random audit of contract awardees' Non-Discrimination Plans to ensure compliance with the provisions of the Program.

Reporting Allegations of Discrimination

Businesses awarded City contracts shall prohibit discrimination against any person or business on the basis of race, color, sex, religion, disability or national origin. Such businesses shall develop a policy statement to be communicated regularly to all persons and entities involved in performance of their contracts, and shall conduct their contracting and purchasing programs so as to discourage any discrimination and to resolve all allegations of discrimination.

* * *

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The SBDOCC shall review and investigate all allegations of discrimination reported by minority and women business enterprise firms, as well as others claiming that prohibited forms of discrimination have occurred. Allegations of discrimination that are determined to have merit may be subject to penalties decided upon by the designated agency.

Subcontracting Outreach Program (CMC Section 323-31)

The Subcontracting Outreach Program applies to City-funded construction contracts of $100,000.00 or more. At the City's sole discretion, these requirements may be waived in advance on projects deemed inappropriate for subcontracting participation at the specified level. When State and/or federal funding sources require affirmative action

goals, those goals as defined in the contract documents replace requirements of this Subcontracting Outreach Program.

The City of Cincinnati is committed to maximizing subcontracting opportunities for all qualified and available Small Business Enterprises (SBEs). Bidders should be fully informed of the Subcontracting Outreach Program as set forth in this document.

Subcontractor Outreach and Participation Mandatory Goal of 20%

This Subcontracting Outreach Program requires bidders to make subcontracting opportunities available to a broad base of qualified subcontractors and achieve a minimum of 20% (which may be higher for construction of buildings) SBE subcontractor participation. To be eligible for award of this project, the SBE bidder must subcontract a minimum percentage of its bid to qualified available SBE subcontractors. The subcontractor participation mandatory goal will be evaluated on an annual basis to ensure the appropriateness of the goal. The bidder must list all subcontractors, regardless of amount. Failure to list subcontractors and subcontracting amounts with the bid sufficient to meet or exceed the mandatory subcontracting participation level may cause a bid to be rejected as non-responsive. Bidders or Offerors should be able to include the participation of minority and female firms at the levels of availability determined in the City of Cincinnati Disparity Study previously referenced. Each bid request or request for proposals shall contain the City of Cincinnati Office of Contract Compliance's most recent

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APPENDIX II
NON-DISCRIMINATION PROGRAM CONTRACT ADMINISTRATION POLICIES AND PROCEDURES

Introduction

The City of Cincinnati's new Non-Discrimination in Purchasing and Contracting policy requires changes in the way Bids, Request for Proposals (RFP) and Request for Qualifications (RFQ) and Request for Information (RFI) are reviewed and contracts are administered. Following are policies and procedures applicable to the SBDOCC, including bid package requirements, forms, outreach meeting information, availability determination and determination of compliance with program requirements.

Bid/RFP Package Requirements

Each bid package developed by the City of Cincinnati will include the following documents relative to the Non-Discrimination Program. The Contract Administrator and Purchasing Representative must ensure that these forms are included in each bid package:

1. Policy Statement—**City of Cincinnati Non-Discrimination Policy**

2. **Non-Discrimination Program** document—describes program in detail

3. **Offeror's Covenant of Non-discrimination (Form 2000)**—spells out the requirements of all bidders,

including good faith efforts, description of utilization of minority or women-owned business enterprises, reporting requirements and agreement to submit to interviews of officers and further inquiry from the City when required.

4. **Solicitation Certification Form (2001)**—lists names of firms contacted to bid as subcontractors.

5. **Statement of Good Faith Efforts (Form 2007)** --Offeror will provide a detailed description of the techniques used to obtain participation of minority and women-owned business enterprises, including segmenting of the work into 2 or more smaller units (areas for subcontracting), attending pre-bid conferences, soliciting specific minority and women-owned firms, soliciting trade associations that focus on minority and women-owned businesses, advertising efforts, and other methods used.

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If the bidder's utilization is the same as or greater than the actual availability percentage, then the city can accept the bidder's utilization as being in compliance with the program. The burden is on the bidder to explain the low utilization percentage. If the contract administrator determines that the contractor under-utilized minority and/or women-owned businesses based on the actual availability percentage, and that the bidder's good faith efforts were inadequate and there is no legitimate explanation for the under-utilization, then the matter is turned over to the investigative unit for a discrimination investigation.

7. If it is found that the bidder did in fact utilize good faith in attempting to subcontract with minority or women-owned businesses, then Contract Compliance should approve the bidder. The bidder's utilization percentage is then accepted.

8. After the contract is awarded and work has begun, the contractor still has a commitment to non-discrimination. Any proposed change in subcontractors from those indicated on Form 2004 must be approved by the city utilizing Form 2006.

9. The Office of Contract Compliance is responsible for monitoring the contract after award. The contractor must submit monthly reports (Form 2005) that indicate the name of the subcontractors and the amount they have been paid for the period and to date. The Contract Compliance Specialist/Officer assigned to the contract must review the forms and verify that the subcontractors have been paid as indicated. Site visits must also be conducted to ensure that the minority and/or women-owned business subcontractors actually have employees on the site on the dates indicated on the applicable forms.

Contract Administration - Request for Proposals or Request for Qualifications

In accordance with the RFP Manual, the initiating department must contact Purchasing before starting a project that may require an RFP or RFQ. This determination must be requested in writing. If Purchasing determines that an RFP is the proper mechanism, a written determination will be made. A copy of this determination should also be forwarded to the Contract Administrator. When the initiating department develops the

proposal documents, a copy should be forwarded to the Contract Administrator for review. The Contract

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Pre-Bid/Outreach Session Script for Contract Administrator

The following is a suggested script, which may be used to convey the nondiscrimination program's requirements during outreach meeting for applicable projects:

Good morning/afternoon.

I am (name), the Contract Administrator from the Small Business Division Office of Contract Compliance, Small Business Division of the Department of Community Development and Planning for the City of Cincinnati. I will briefly explain the requirements of the City's Non-Discrimination Program. In the bid package, you will find a section that begins with Non-Discrimination Program Policy, followed by the Non-Discrimination Program. All bidders must complete the forms in this section in order for a bid to be considered responsive. All bidders covenant specifically not to discriminate against minority and women-owned businesses in the bid process or the performance of a contract.

It is in the City's best interest to ensure equal opportunities for minority and women-owned businesses in the bid/proposal process and, ultimately, in the contract process based on their availability, capacity and willingness to perform. Therefore, you will also find in this section an availability estimate. This figure is a percentage based on a review of the City's vendors' database, including certified

minority and women-owned businesses. Businesses are identified based on the areas of work included in the specifications for this project. For this project, we estimate that __% minority and__% women-owned businesses are available to do the work required on this project.

Bidders are required to show that they've made a good faith effort to get the maximum practical participation of minority and women-owned businesses on this project. This doesn't mean that you are required to subcontract any of the work just to get participation by minority or women-owned firms, nor does it mean that you are required to subcontract if it is not the common and accepted industry practice on a project of this type. However, if it is feasible that the work can be broken into two or more smaller units, and then it should be done so as to permit maximum participation, based on the availability estimate.

Form 2001, must be used to list all firms solicited for subcontract work. Form 2003 lists the firms you plan to actually utilize on the project. The City maintains a list of certified minority and women-owned businesses on its web site and in the Office of Contract Compliance. Other information on showing a good faith effort is included in the bid package. If you have any questions or need assistance in meeting these requirements, please feel free to contact me at (phone number, email).

* * *

APPENDIX V

GUIDELINES FOR CONDUCTING INVESTIGATIONS OF DISCRIMINATION

Authorization To Conduct Investigations

The City of Cincinnati has established policy objectives to ensure that all citizens are afforded equal opportunities to do business on its contracts and to ensure that all bidders, proposers, vendors and contractors doing business with the City provide to businesses owned and controlled by racial minorities, ethnic minorities and women, opportunities to participate, to the extent of their availability, on contracts which are paid, in whole or in part, with monetary appropriations from the City. Accordingly, the City has reserved for itself the right to conduct, or appoint its duly authorized representative to conduct, investigations in response to allegations of discrimination in contracting and purchasing by or on behalf of the City. Guidelines for conducting investigations into alleged discriminatory acts are set forth below.

Initiation of the Investigatory Process

1. Upon its own initiative, the City may commence an investigation of discrimination against businesses in any given category of contracting or procurement to determine if an acceptable non-discriminatory reason, or other justification, exists to explain the disparity between the availability and utilization of M/WBEs on any given project.

2. Upon receipt of a signed complaint, by any person or group of persons, alleging discrimination by or against a contractor or vendor that has received a contract for goods and services, or a contractor or vendor that is pursuing the receipt of a contract for goods or services from the City, the City shall document the date and time of receipt of the complaint, and initiate or commence an investigation to ascertain the merits of the charge of discrimination and to determine if a non-discriminatory reason exists to explain the alleged discrimination.

3. The complaint shall be made in writing and signed by the aggrieved party. It shall then be delivered to the City's Office of Contract Compliance in person, by mail or overnight delivery service. Faxed copies will be accepted if followed by a signed, notarized original within three (3) days of the faxed copy being received at the City's Office of Contract Compliance.

4. Any complaint alleging discrimination may be withdrawn by the aggrieved party, or parties, within ten (10) days of submission; however, after the party against who the allegation has been made has been notified, the complaint can only be withdrawn upon agreement of all parties involved.

5. Each and every complaint of discrimination shall contain the following:

    a) The full name, address and telephone number for the aggrieved person or persons.

    b) The full name, address and telephone number of the person and/or entity against which the

complaint is made (hereinafter referred to as the respondent).

c) A clear and concise statement of the facts and circumstances giving rise to the allegation of disparity or discrimination, including but not limited to dates, times, locations, witnesses to any aspect of the events, and all other relevant information in the possession of the complaining party.

d) Notwithstanding the foregoing, a complaint that alleges discrimination shall be deemed sufficient if the written statement is precise enough to identify the parties and to generally describe the practices complained of, or the grievance alleged.

e) A party may cure a technical defect in the complaint or response by amendment within ten (10) days after the defect is made known to the party by the City.

6. Within ten (10) days after filing a complaint of discrimination, the City or its designee shall serve the respondent a copy of the complaint by mail or in person, except when the service of the actual complaint will impede the investigation functions of the City, in which case, the City shall provide notice to the respondent that a complaint has been filed against it and provide fifteen (15) days in which the respondent can provide a response, if any, to the allegations of discrimination. The notice shall include the date, place and circumstances of the alleged discriminatory conduct, but will not include the identity of the complaining party.

7. Within five (5) working days after receipt of the complaint alleging discrimination, the City or its designee shall acknowledge same in writing and assign a case number and investigator with whom the complaining party shall communicate all further information for processing.

Investigation of Complaints of Discrimination

1. Upon receipt of a complaint alleging discrimination, the City, or its duly authorized agent or representative, shall conduct an investigation into the merits to determine if a non-discriminatory reason or reasons exist to justify the discrimination set forth in the allegations. In conducting the investigation, the City may utilize the services of any local, state or federal agency that is charged with the investigation and resolution of civil rights violations or enforcement of any laws, local, state or federal that relate, in any way to discriminatory treatment.

2. The City may accept any statement of position or evidence with respect to the allegations contained in a complaint, or other information which the claimant or the respondent wishes to submit. The duly authorized representative of a complaining party or respondent shall be entitled to submit evidence or information in the same manner as the complaining party or respondent.

3. As part of the investigation process, the City may require the person submitting the complaint to provide additional statements, which may include any or all of the following; 1) A statement of each specific act of discrimination that the claimant has suffered and the dates, which such harm, occurred; 2) For each alleged act of discrimination, a statement specifying the act, policy or practice, which is alleged to be discriminatory. 3) For each act, policy or

practice alleged to have caused harm to the aggrieved party, a statement of the facts that lead the person to believe that the act, policy or practice is discriminatory.

4. The City may require a fact-finding conference with the parties, after receipt of the respondent's reply, but prior to moving forward with investigation of the complaint. The conference is primarily designed to define the issues; to determine which elements are undisputed; to resolve those issues that can be resolved; and, for those issues which cannot be resolved, to establish the framework for the proceeding with the remaining investigation.

5. Respondents to complaints of discrimination must reply with specificity and particularity to each allegation of the complaint.

Request for Documents and Information

1. The City's representative, in conducting the investigation, may issue, or cause to be issued any requests for the production of documents and requests for other evidence, including requiring; 1) The attendance and testimony of witnesses; 2) The production of evidence which shall include but not be limited to books, records, correspondence or any other documents in the possession or under the control of the person or party to whom the request is directed; 3) Access to any other evidence for the purposes of examination and copying for the City's determination.

2. The request for information shall state the name and address of the issuing official or duly authorized representative of the City, the person to whom it is addressed, the place, date and time for attendance and the

nature of the evidence to be examined and copied. Neither the complaining party nor the respondent shall have a right to demand the issuance of a request for information, as this power rests in the sole discretion of the City or its duly authorized representative, assigned to investigate the complaint.

3. In the event that a party to whom a request for information has been issued, refuses or intends to refuse, to comply with the directives contained therein, he or she must notify the City in writing within three (3) days after receipt thereof and request in writing a waiver of compliance, stating with particularity the reasons for said waiver. The City's investigator shall notify the party requesting the waiver of the grant or denial of it within three (3) days.

4. If a party who is served with a request for information does not comply and does not request a waiver, or if a requested waiver is not granted, and the party does not comply with the request for information, the City shall use its discretion to impose appropriate penalties for non-compliance.

5. To further effectuate the purposes of the City's duties and responsibilities in the prompt investigation and resolution of complaints of discrimination, the City may require a party or witness to appear in person at a stated time and place to be examined, under oath, by a Hearing Officer or other duly authorized If a party or witness refuses to appear, or appears and refuses to testify, the City shall, in its discretion, impose appropriate penalties for non-compliance.

Summary Disposition of Complaints and Information

The City reserves the right to apply these guidelines in conducting its investigations into allegations of discrimination in contracting and procurement; however, the City also recognizes that there may be instances in which sufficient information is available to allow for summary disposition of complaints without going through each of the steps outlined herein. To that end, the following guidelines for summary disposition of complaints should be followed:

1. If a preliminary investigation by the City or its duly authorized representative discloses that the complaint, on its face, does not state a claim of discrimination, the City may dismiss the complaint.

2. Where a person who has filed a complaint does not provide the requested information or refuses to appear or be available for appropriate interviews with the City or its duly authorized representative, or in any other manner, refuses to cooperate, the City may dismiss the complaint after extending to the charging party a ten (10) day period in which to comply.

APPENDIX D

FORM 2000

CITY OF CINCINNATI
OFFEROR'S COVENANT
OF NON-DISCRIMINATION

Pursuant to the City of Cincinnati's policy of non-discrimination, specifically in its purchasing and contracting practices, by our signature below and as a condition of contract award, we covenant, represent and warrant that:

- We will not discriminate against small, minority and women-owned business enterprises on the basis of race, ethnicity or gender in the process of contracting, subcontracting and purchasing;

- We will use good faith efforts to promote opportunities for minority and women-owned business enterprises to participate in and compete for opportunities to the extent of their availability and capacity;

- We will submit all required forms that indicate our intent to use a diverse business base when awarding subcontracts, purchasing and pursuing teaming opportunities;

- If awarded the contract, we will submit to ongoing monitoring by and submittal of reports to the City's Office of Contract Compliance;

- We will submit to investigations and/or audits by the Office of Contract Compliance in connection with routine monitoring or as a result of specific allegations of discrimination.

_____ _____

Company Representative (Name, Title) Date

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Form 2001

CITY OF CINCINNATI
NON-DISCRIMINATION/SUBCONTRACTING
OUTREACH PROGRAM

Solicitation Certification Form

[Fold out Exhibit, next page]

rm 2001
JBMIT WITH
D/PROPOSAL)

CITY OF CINCINNATI
NON-DISCRIMINATION/SUBCONTRACTING OUTREACH PROGRAM
Solicitation Certification Form

)MPANY NAME:	ADDRESS/TELEPHONE:
D PACKAGE:	BID DATE:

ease list the name(s) of all firms contacted, and their responses to the above Bid package. If additional space is required, this form may be duplicated.

Name/Address	Type Of Business and Ownership	Type Of Work/Service(s) Solicited	Indicate How Businesses Were Contacted (i.e. Letter, Phone, Fax)	Response To Solicitation (i.e. Will Submit Bid, No Response, Not Interested)	Amount of Bid or Quote	Company Selected? Yes or No	Telephone Fax Number

s hereby certified that the above firms were contacted and offered an opportunity to propose on the above procurement. We further certify that the above statements are a true 'ount of all firms' responses to our solicitation. We have also attached copies of all bids and/or quotes received. For work we will perform with our own forces, we have indicated ve with our own costs.

mpany Representative (Name/Title)

Date

Form 2002

City of Cincinnati
JOINT VENTURE AGREEMENT AFFIDAVIT

(Completion of this form is only required when the contractor enters into a joint venture agreement with a Minority and/or Women Business Enterprise firm)

(Form 2002 must be completed in its entirety)

1. Name of Joint Venture firms:

   Majority contractor_____

   Minority firm_____

   Women Firm_____

2. Provide a copy of written joint venture agreement.

3. Indicate the joint venture percentage of each company

   a) Majority Contractor_____%

   b) Minority Firm_____%

   c) Women Firm_____%

Signature & Title_____
(Majority Firm)

Date_____

Signature & Title_____
(Minority Firm)

Date_____

Signature & Title_____
(Women Firm)

Date_____

Contract Compliance____ Approved____ Denied

Signature:_____

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Form 2003

CITY OF CINCINNATI
SUBCONTRACTOR UTILIZATION PLAN

Form 2004

City of Cincinnati
SUBCONTRACTOR APPROVAL REQUEST
Statement of Intent to Utilize Firms

Form 2005

CITY OF CINCINNATI
SUBCONTRACTOR MONTHLY BUSINESS
UTILIZATION REPORT
Record of Payments

[Fold out Exhibits, next 3 pages]

03

CITY OF CINCINNATI
SUBCONTRACTOR UTILIZATION PLAN

THIS DOCUMENT MUST BE PROVIDED WITH BID AND SIGNED BY THE PERSON SIGNING THE PROPOSAL

)CUREMENT DESCRIPTION:	**DATE SUBMITTED:** **TOTAL CONTRACT VALUE $:**
)IPANY NAME: **FEDERAL TAX ID#**	**ADDRESS/TELEPHONE:**

The above named company proposes to use the services of the following listed firms.

Name/Address/Telephone	Ownership Status	Certifying Agency	Federal Tax ID#	Type Of Work	Subcontract Dollars	Subcontract Percentage

Business Ownership Status
Minority Owned - MBE
Women Owned - WBE
White Owned - WOB
Small Business Enterprise - SBE
Other - Non certified MBE/WBE

Total MBE	$	%
Total WBE	$	%
Total White	$	%
Total SBE	$	%
Total Other	$	%

I certify that the above information is true to the best of my knowledge. I understand that any changes to the above must be submitted in writing on the Substitution Form and approved in advance by the City.

iure	**Title**	**DATE**

FORM 2004

City of Cincinnati
SUBCONTRACTOR APPROVAL REQUEST
Statement of Intent to Utilize Firms

THIS FORM MUST BE COMPLETED AND SUBMITTED TO CONTRACT OFFICER PRIOR TO CONTRACT AWARD
INFORMATION RECORDED HEREIN WILL BE INCORPORATED IN THE AWARDEES' CONTRACT

PROJECT NAME			CONTRACT NO.	
City Agency Administering/Contract	Contact Person		Phone No.	
Requesting Contractor	Federal Tax ID	Address		Zip Code
Authorized Representative	Title		Phone No.	
Prime Contractor (If not the same as above)	Federal Tax ID	Address		Zip Code

SUBCONTRACTOR

SUBCONTRACTOR	Federal Tax ID	Address		Zip Code
Authorized Representative	Title		Phone No.	
Is SBE registered with the City of Cincinnati? YES ☐ NO ☐ Minority ☐ Female ☐				

ITEM NUMBER	DESCRIPTION OF WORK	SUBCONTRACT'S CONTRACT AMOUNT $	% OF TOTAL CONTRACT PRICE	ESTIMATED START DATE	COMPLETION DATE
	Total Value of Work				

SIGNATURES

SUBCONTRACTOR		DATE
Requesting Contractor		DATE
Prime Contractor (If not the same as above)		DATE
Specialist Initial/Date	Contract Compliance Officer	DATE
Contract Administering Agency		DATE

2005

CITY OF CINCINNATI
SUBCONTRACTOR MONTHLY BUSINESS UTILIZATION REPORT
Record of Payments

THIS DOCUMENT MUST BE SUBMITTED WITH MONTHLY INVOICE

ECT NAME: CONTRACT#:	DATE FORM SUBMITTED: WORK PERIOD ENDING:
PANY NAME:	ADDRESS:
RAL TAX ID#:	CONTACT PERSON:

bcontractor/Vendor ID# (rect Address/Zip/Telephone)	Indicate Ownership Status	Description Of Work	Total Sub-Contract Amount	Amount Paid For The Period	Total Amount Paid To-Date	Percentage Of Work Completed	Scheduled Start Date	Scheduled End Date

MBE Subcontracts Awarded/%	$	%	Total WBE Subcontracts Awarded/%	$	%
MBE Dollars Paid-To-Date/%	$	%	Total WBE Dollars Paid-To-Date/%	$	%
Non-Minority Subcontracts Awarded/%	$	%	Total SBE Subcontracts Awarded/%	$	%
Non-Minority Dollars Paid-To-Date/%	$	%	Total SBE Dollars Paid-To-Date/%	$	%

signed certifies that the information recorded above is correct, and that each of the representations set forth above is true. The undersigned further acknowledges that any misrepresentation herein may result in termination of contract revocation under applicable Federal and State laws concerning false statements and false claims.

any Representative_____ Title:_____ Date:_____

Form 2006

City of Cincinnati
SUBCONTRACTOR SUBSTITUTION

THIS FORM MUST BE COMPETED AND SUBMITTED TO THE CONTRACT COMPLIANCE OFFICER PRIOR TO TERMINATING THE CONTRACT OF A MINORITY, SMALL OR WOMEN-OWNED BUSINESS AFTER THE BIDS HAVE BEEN SUBMITTED OR CONTRACT HAS BEEN AWARDED. INFORMATION RECORDED HEREIN WILL BE INCORPORATED IN THE AWARDEE'S CONTRACT.

Company Name:_____ Project Name:_____

Address:_____Date Submitted:_____

_____will be substituted for
(Name of Subcontractor/Supplier)
_____ to perform work on the
(Name of Subcontractor/Supplier)

the above project as (check one): [ ] a partnership;[ ] a corporation; [ ] sole proprietorship; [ ] a joint venture.

_____ will enter into a formal
(Subcontractor/Supplier)

agreement for the work upon approval by the **City of Cincinnati**.

ITEM NUMBER	DESCRIPTION OF WORK	SUBCONTRACT/P.O. PRICE	% OF TOTAL CONTRACT PRICE	START DATE	COMPLETION DATE
	Total Value of Work				

Prime/General Contractor:

Signature of Company Representative_____

Title:_____ Date:_____

Federal Tax ID#:_____ _____

Subcontractor/Supplier:

Signature of Company Representative_____

Title:_____Date:_____

Federal Tax ID#:_____

Contract Compliance_____Approved_____Denied

FORM 2007

CITY OF CINCINNATI
STATEMENT OF GOOD FAITH EFFORTS

Bid Number_____

By the signature below of an authorized company representative, we certify that we have utilized the following methods to obtain the maximum practicable participation by small, minority and women-owned business enterprises on this project. Please indicate which methods you used by placing an **X** in the appropriate place.

_____ Attended one of the quarterly S/M/WBEs Outreach Sessions

_____ Contacted Contract Compliance to obtain list of certified S/M/WBEs

_____ Contacted trade associations that focus on small, minority and women-owned businesses (indicate which associations were contacted)

_____ Identified sufficient subcontracting work to meet goal (attach content of advertisements and written notices to subcontractors indicating type ofwork to be subcontracted)

_____ Contacted recruitment/placement agencies (attach copy of each letter sent; if faxed, include transmittal confirmation; if mailed, attach copy of envelope or certified mail receipt)

_____ Written Notice to Subcontractors (submit copy of each letter sent, or, if one master notification, submit copy of letter and recipient list)

_____ Follow-up to initial solicitations (submit copy of call logs)

_____ Advertising (attach content of advertisements, which must include project name, bidder, work available, contact person's name and number, information on availability of plans and specifications and bidder's policy concerning assistance to subcontractors in obtaining bonds, credit lines and/or insurance; date of advertising and publications)

_____ Assistance with bonds, credit lines, insurance (submit copy of advertising and written notices to subcontractors)

_____ Other (please list any other methods utilized that aren't covered above)

_____

_____

_____

_____ _____

Company Date

_____

Company Representative (Name and Title)

FORM 2008

City of Cincinnati
SUBCONTRACTING OUTREACH PROGRAM
Final Subcontracting Report

THIS FORM MUST BE COMPLETED AND SUBMITTED TO CONTRACT OFFICER WITHIN FIFTEEN (15) DAYS AFTER FINAL INSPECTION OF CONTRACT WORK

Company Name:_____Project Name:_____

Address:_____

Federal Tax ID#_____ Date Submitted:_____

Date of Final Inspection_____

The following subcontractors performed work on the above project:

TYPE OF WORK	COMPANY NAME/TAX ID #	FINAL PRICE	% OF TOTAL CONTRACT PRICE

Signature of Company Representative_____
Title:_____ Date:_____

Contract Compliance____ Approved____Denied

Bidder's Telephone Log

Date	Time	Person Calling	Company Called/ Contact	Telephone Number	Result of Conversation

APPENDIX E

CONSTRUCTION
BID DOCUMENT

CITY OF CINCINNATI
DIVISION OF PURCHASING
805 Central Ave., Suite 234, Cincinnati, Ohio 45202-1947

FORM 1-C (10/2002)

Proposal submitted by:
Cleveland Construction, Inc.
Name of Bidder (Print or Type)

This space for City Use Only	
BOND	**CHECK**

COPY OF LEGAL NOTICE - BID WANTED

Reference No. 04IC909008
Date December 23,_____

Buyer N. Mullanney

Phone 513-352-1538

Commodity Class 099-01-01

Sealed bids will be received at the office of the City Purchasing Agent, Two Centennial Plaza, 805 Central Ave.,

Suite 234, Cincinnati, Ohio, 45202-1947 until **12 o'clock noon, Cincinnati time, Thursday, February 5, 2004**, at which time they will be opened and publicly read, for furnishing the labor, materials, tools, supplies, equipment, services, and supervision necessary for applying the material and/or doing the work necessary for the repair, construction or improvement, as the case may be, as indicated by the items hereunder listed and in accordance with the applicable specifications. Individual lump sum bids are invited. Sealed bids will be received for the following:

Cincinnati Convention Center Expansion and Renovation
Cincinnati, Ohio

Bid Package C
TC-09A Drywall

A pre-bid meeting is scheduled for 1:00 p.m. on Tuesday, January 6, 2004 at the Cincinnati Convention Center, Room 206, located at 525 Elm Street, Cincinnati, Ohio 45202. (Bidders are advised to enter the Cincinnati Convention Center on the Skywalk Level at 6th and Plum.)

Bidders shall submit all questions in writing (fax or U.S. mail is acceptable — e-mail is unacceptable) to the Construction Manager regarding the bid by 5:00 p.m. Wednesday, January 21, 2004. Questions received after that time will not be addressed.

Owner: City Of Cincinnati
805 Central Avenue, Suite 610
Cincinnati, Ohio 45202
513/352-5270 and FAX 513/532-5336

Construction Manager: Hunt Construction Group

619 Central Avenue, Suite A
Cincinnati, Ohio 45202
513/421-3500 and
FAX 513/632-9330

Design Architect:

LMN Architects
501 Norton Building
801 Second Avenue
Seattle, Washington 98104
206/682-3460 and
FAX 206/343-9388

Architect of Record:

Cincinnati Architects Collaborative
332 East 8th Street
Cincinnati, Ohio 45202
513/241-8700 and
FAX 513/241-8873

Program Manager:

URS Corporation
619 Central Avenue, Suite B
Cincinnati, Ohio 45202
513/632-9343 and
FAX 513/632-9350

Bidders may purchase bid documents from Ohio Blueprint Company, 2348 Gilbert Avenue, Cincinnati, Ohio 45206, 513/281-9933. Bidders are required to purchase all Volumes of the Project Manual. The Construction Drawings for this Bid Package can be purchased on a voluntary basis. However, all Bidders are responsible for all information contained in the documents that are released for this Bid Package and the Bidders are responsible to coordinate the work with all drawings and specifications of all Bid Packages including those previously released, if any exist. All drawings and specifications are available for review at the office of the

Construction Manager. Bidder also has the option to purchase any drawings and/or specifications previously issued for the Project if any exist Bid documents may be examined at:

Allied Construction Industries
1010 Yale Avenue
Cincinnati, Ohio 45206
513/221-8020

Hunt Construction Group, Inc.
619 Central Avenue, Suite A
Cincinnati, Ohio 45202
513/421-3500

Builders Exchange Cleveland
981 Keynote Circle, Suite 1
Brooklyn Heights, Ohio 44131
866/661-8302

Ohio Statewide Minority Business Development Center
7162 Reading Road, Suite 630
Cincinnati, Ohio 45237
513/631-7666

Builders Exchange Louisville
2300 Meadow Drive, Suite 100
Louisville, Kentucky 40218
502/459-9800

Reed Construction Data
4100 Executive Park Drive, Suite 405
Cincinnati, Ohio 45241
513/956-4210

Dayton Builders Exchange
2077 Embury Park Road
Dayton, Ohio 45414
937/278-5723

Reed Construction Data
7654 Crosswoods Drive
Columbus, Ohio 43235
614/880-3900

F. W. Dodge Corporation
655 Eden Park Drive, Suite 515
Cincinnati, Ohio 45202
513/345-8200

South Central Ohio Minority Business Council
441 Vine Street, Suite 300
Cincinnati, Ohio 45202
513/579-3104

Greater Cincinnati & Northern Kentucky
African American Chamber of Commerce
2945 Gilbert Avenue
Cincinnati, Ohio 45206
513/751-9900

Unless otherwise specifically indicated under the individual listing in the legal advertisement, all bids shall be subject to the following

a) BID GUARANTY AND CONTRACT BOND: Each Bidder is required to submit with the bid a Bid Guaranty and Contract Bond. The Bid Guaranty and Contract Bond must be submitted with the bid using the form provided herein as none other will be accepted.

b) All bidders will be subject to the provisions of the City of Cincinnati Contract Compliance Programs regarding Equal Employment Opportunity and Small Business Enterprise Program. Failure of a bidder to comply with these requirements at the time of the bid may be cause for rejection of the bid.

c) The City reserves the right to waive informalities not inconsistent with law or to reject any or all bids.

d) Submitted bids shall not be withdrawn for a period of ninety (90) days following the date of bid opening.

The bid documents SHALL be returned intact. FAXED or ELECTRONICALLY MAILED bids are *UNACCEPTABLE.* Bids *must* be signed and signature *must* be original.

Specifications and Drawings referred to in this bid document by reference only, need not be submitted with the bid.

INVITATION TO BID

Sealed bids are requested on the list of materials, supplies, equipment or services set forth herein, subject to all conditions outlined the Bid Documents, including General Conditions, Instructions to Bidders, and Information for Bidders as follows.

LEGAL NOTICE / INVITATION TO BID / FORM 1-C